

Montana Transportation Commission

June 6, 2005 – Telephone meeting

Please note: an audio recording of the meeting is available from the transportation commission secretary at (406) 444-7200 or ldemont@mt.gov. Alternative accessible formats of this document will be provided upon request. For additional information, please call (406) 444-7200 or visit the commission's web site at http://www.mdt.state.mt.us/trans_comm/. The TTY number is (406) 444-7696 or 1-800-335-7592.

Note: ==> indicates follow-up is needed.

The Montana Transportation Commission met via conference call on June 6, 2005. The meeting was called to order by Chairman Kennedy at 10:05 am with the following participants:

Bill Kennedy, Transportation Commission Chair (District 5)
Nancy Espy, Transportation Commission Vice Chair (District 4)
Rick Griffith, District 2 Transportation Commissioner
Deb Kottel, District 3 Transportation Commissioner
Jim Lynch, MDT Director
Jim Currie, MDT Deputy Director
Tim Reardon, MDT Chief Counsel
Loran Frazier, MDT Acting Chief Engineer
Mark Wissinger, MDT Construction Engineer
Gary Larson, MDT Project Analysis Engineer
Mac McArthur, MDT Design-Build Engineer
Sandra Strachl, Rail, Transit & Planning Administrator
Lorelle Demont, MDT Commission Secretary
Cary Hegreberg, Executive Director – Montana Contractors' Association

Agenda item 1: Approve commission minutes from May 18, 2005 meeting

Commissioner Griffith moved to accept the minutes as presented; Commissioner Espy seconded the motion. All four commissioners voted aye.

Agenda item 2a: Award projects from May 26, 2005, 2005 letting

Loran Frazier reviewed staff recommendations (see attached) for the following five projects:
NH-NHTSA 1-3(36)234 F & STPX-NH 37(26) – *Meriwether – East & Alkali Lake Wetland Mitigation*
MT 236-1(10)44 – *Clagett Hill*
STPS 384-1(19)13 & SFCS 313-1(14)29 – *East of Hardin – East & 9 km South of St. Xavier – South*
STPX 56931(2) – *Lockwood to Johnson Lane*
STPHS 0002(758) – *2001 – D1 – Electrical*

Commissioner Espy moved to accept staff recommendations to award the five projects as presented; Commissioner Griffith seconded the motion. All four commissioners voted aye.

Agenda item 2b: Award design-build project #3 (Dupuyer – SE)

Loran Frazier reviewed staff recommendations (see attached) for the design-build project to reconstruct about 5 miles of MT 89 southeast of Dupuyer.

Commissioner Griffith moved to approve a \$40,000 stipend payment to each of the four firms that submitted proposals, and award the design-build contract to the team of Shumaker Trucking and Excavating Constructors, Inc./Morrison Maierle, Inc./Frontier West, LLC in the amount of \$6,666,169; Commissioners Kottel and Espy seconded the motion. All four commissioners voted aye.

Agenda item 3: Emergency repairs to Beartooth Highway (US 212)

Lynch offered a brief history to date:

- On Friday, May 20, MDT maintenance personnel were working to clear the Beartooth highway of snow. They observed the saturated soil start to move, abandoned their equipment and hiked out of the area (about 10 miles). On the Wyoming side, folks who had used the chairlift for alpine skiing had to hike about 20 miles to get out.
- On Sunday, May 22, aerial photos were taken of the entire area.
- On Monday, May 23, we viewed the photos and flew staff to Red Lodge. I called our congressional delegation, and Senator Baucus was able to send a staff person to join us. FHWA and the press were also involved and able to see the damage first hand from the helicopter.
- A landslide expert from FHWA was flown in, as were experts from Landslide Technologies.
- We came up with a plan and advertised a request for proposals.
- Right now, JTL is on site doing clearing and excavating work.

Wissinger said there are 12 people out there establishing control points for future surveys. We are thinking about including incentives in the project contract that could lead to the successful bidder working 24/7. Because of the magnitude of the work, plus the extended working hours, we have assigned two project managers to the project. This a special experimental project and we have a request in to FHWA to approve the process. We don't anticipate any difficulties; FHWA has been working with us all the way through. Looking at the slides from the top down, locations 6,7,8 and 9 are the most significant. The commissioners were encouraged to look at the web site that's been established on the subject: <http://www.mdt.state.mt.us/travinfo/beartooth/>.

Lynch said we gave funding to Wyoming last year (\$12 million in high priority funds for the Wyoming side of the Beartooth), but they haven't used it and we're hoping to get those transferred back.

Senator Burns has pledged his support to help us secure funding, and I've already sent him a letter. We hope the money will come from ER funding, but we're going to go at it from every possible angle. Currie said the initial funding will be through advance construct (AC).

Reardon said the statute (MCA 60-2-112(2)) requires the Transportation Commission to state in writing the specific circumstances that necessitates a process other than low bid. Chairman Kennedy read a portion of the emergency resolution prepared by Reardon. Commissioner Espy made a motion to execute the resolution; Commissioner Griffith seconded. All four commissioners voted aye.

Lynch said we will be taking a three-pronged approach: pursue \$20.4 million in ER funding; pursue \$12 million in HPP funds; and use STPP funds in the meantime. Using STPP monies as an interim funding source is a solution to the cash flow issue. Currie said by using advance construct, there will be no impact to other projects.

Commissioner Griffith moved to accept staff recommendations to approve the interim use of Surface Transportation Program Primary funding to make permanent repairs to the Beartooth Highway (US 212) from reference post 46 to 56; to approve MDT's request for \$29.4 million in Emergency Relief funding; and to approve the use of HPP funding (if acquired) to assist in the cash flow needed to fund the repairs, with the understand that the amount loaned to the project will be repaid to FHWA Central Federal Lands once other funds become available for the repairs. Commissioner Espy seconded the motion. All four commissioners voted aye.

Agenda item 4: Set conference call time

Commissioner Griffith moved to accept staff recommendations to set the conference call to award the contract for the Beartooth emergency slide repairs on Wednesday, June 15 at 2pm; Commissioner Kottel seconded the motion. All four commissioners voted aye.

Agenda item 5: Commission discussion

The commission approved the draft thank you letter to those in the private sector that worked on the culvert collapse at Hatchett Creek east of Glendive.

Lynch provided an update on MT 35 on the east shore of Flathead Lake. Rain last Thursday and Friday caused the lakes to crest and water and debris flowing downhill to the Flathead blocked some culverts and caused flooding on the road. We had to close the highway for a time, and later were able to open it up to local traffic only. There was also a small mudslide. The highway is now open and our maintenance crews are starting repairs. Once the water recedes, we will determine whether or not to let a project. Frazier, who held the position of Missoula district administrator recently, said there were usually three to four such incidents a year in that district.

Chairman Kennedy said the plan for the next commission meeting would be to meet Wednesday, July 27 in Baker at noon. Following a tour of area projects, we will be treated to a home-cooked dinner at the senior citizens' center in Plevna. The meeting will start at 8am on Thursday, July 28 and hopefully done by noon or 1 pm to allow time to travel home.

=> Chairman Kennedy asked Jim Currie to get hold of Commissioner Howlett and give him an update.

Currie said he wanted to publicly acknowledge the staff in the engineering division that have worked to get it all together so fast.

Commissioner Espy commended the department for the excellent publicity that's been taking place, including meeting with the people of Red Lodge.

The call concluded at 10:59 am.

Bill Kennedy, Chairman
Montana Transportation Commission

Jim Lynch, Director
Montana Department of Transportation

Lorelle Demont, Secretary
Montana Transportation Commission

Attachments: *Staff recommendations for project contract awards*
Beartooth slides
Emergency resolution